

Silver Spring Citizens Advisory Board
Meeting Summary
February 13, 2006

Members Present: Alan Bowser, Charlotte Coffield, Korey Hartwich, Graciela Jaschek, Jon Lourie, Phillip Olivetti, Marilyn Seitz, Debbie Spielberg, Mitch Warren, Eric Hensal, Loyce Grigsby, Kathryn Stevens, and Mark Woodard

Members Absent: Victor Salazar

Welcome/Introductions

Meeting was called to order by Debbie Spielberg, Chair. Members of the Board, Staff, and Guests were introduced.

Approval of Minutes

Motion: (Grigsby, Seitz) the Silver Spring Citizens Advisory Board adopted the minutes of the January 2006 minutes as amended Marilyn Seitz was out at the January Meeting

Community Comments

Bob Colvin handout the East Silver Spring citizens Association, Inc Newsletter he also informed everyone that David Chikvashvili of Montgomery County Department of Housing and Community Affairs will attend the February 20th meeting at the Nora School, 955 Sligo Avenue he will be discussing the county's proposed changes to Mayor Lane, the alley that runs parallel to Georgia Avenue between Sligo and Thayer Avenues. The idea is to make Mayor Lane safer, more attractive and, more pedestrian Friendly.

There will be a public forum on March 20 featuring the two Democratic Candidates for County Executive Ike Leggett and Steve Silverman the forum will be held at the Church of the Ascension use the 630 Silver Spring Avenue Entrance

For more details please refer to handout.

I attended one of your Committee meetings concerning the Metropolitan Trail and I thought it was a forest they did not talk about the street changes which was something that was omitted. They said nothing about the number of parking spaces that would be eliminated. The number of businesses effected and personally I thought it was a very poor presentation.

Washington Adventist Hospital medical facility proposed at the corner of Flower Avenue and Arliss Street in Silver Spring

A significant number of Sligo Branview Community Association members attended the meeting to oppose any letter of support by the Silver Spring Citizens Advisory Board of the medical office building in our neighborhood which our local Civic Association voted overwhelmingly *against*, that particular building the site and the style and size of the building.

The Board should have taken into consideration the immediate neighborhood that is being effected by it. Before SSCAB sends a letter of support you should listen and find out how the neighborhood feels about that particular building.

The information that has been submitted to the Planning Board violates so many things that there is not enough time to bring all the issues up to include everything from ancient history of the Master Plan to the perimeters that are stated in regard to compatibility with the neighborhood to the vagueness of what is going to happen such as what is going to happen, when the building will be in operation is it going to be open 12, 14, 16 or 18 hours a day unless it needs more hours which means it could be 24 hours a day 7 days a week. This does not give a residential neighborhood a strong feeling of comfort when you look around. We understand that a particular organization and the Adventist Hospital want the building there and that a Land owner who has the right to develop the land want the building there but other than that we have numerous questions and the Planning Board does not seem to be able to help us because the person in charge has gone to Poland for four or five months and someone else will take her place but in the mean time we are left out in limbo and if it was not so serious I would say it is an Abbott and Castillo routine so we would like to know more about what they are doing and the information that we do know give us cause for concern regarding the traffic, traffic patterns and also things that are being said about the further economic development of the community there have been some false statements made such as this building is going to jump start revitalization of the entire shopping center and Mr. Fernebok, the land owner has told us that this is not so and he is not demolishing all of the old building and replacing them with new buildings. We also understand that Giant is not giving up its lease and have signed a long lease so all of the things that have been said is like building something on quick sand so I hope you don't fall for it because it will fall on its own weight.

If this plan has been reviewed by Park and Planning for over a year and we where notified in August or September 2005 and they been working on it for over a year than we would like to know why we where never notified. As to the three meetings that you mentioned with Sligo Branview actually there was a meeting that Sligo Branview invited the developer to come an speak to us he never came directly to us an asked to speak to the group. There was another meeting where WAH was invited by Sligo Branview and not the other way around no one came to us and so this three meetings and what questions the developers answered I am not clear and I don't know if we have seen that document. There are a lot of questions about this which we are not getting a straight story. The last point is in terms of the conformance with the zoning this application assumes a maximum waiver on every possible thing a waiver can be given for and this is an issue.

I am opposed to the building, the abundance of waivers and the project does not blend in with the community the way it is suppose to and when we voted on it at our meeting it was overwhelming opposition and I think if the Silver Spring Citizens Advisory Board is suppose to represent the different communities they should take into consideration the opinion of the actual residents that will be effected by this building

The big message the Civic Association is trying to send to these people is that this would be

a fine project in the right place.

(See informational materials section for letters from Sligo Branview Community Associations, Between the Creeks Neighborhood Association, Rolling Terrace Civic Association, and Long Branch Neighborhood Initiative regarding the Long Branch Medical Building

Stacy Silber, Attorney working with Greg Fernebok, land owner of the shopping center. We have meet with Sligo Branview on three different occasions and there have been a number of questions and some confusion as to what Adventist is proposing. The land owner has provided a letter answering multiple questions and Sligo Branview have been copied on that. I wanted to state that this is the first time in many years that there is an opportunity to have significant investment in this area. The building and configurations they have proposed is what is needed for Adventist to come to this area and without it they will not come and in terms of the comments to conforming with the Master Plan and Planning Board requirements I have to disagree because this project has been reviewed for over a year now by Park and Planning staff in terms of submittal which was done in August 2005, and multiple discussions about this project regard conforming with the Master Plan, and compatibility. We have revised plans that we have done in response to the community's comments and we would be glad to share them with you as well. This is a very important project. It is important that this group to acknowledge the importance of this type of development coming into this area for the Silver Spring area as a whole.

Stacy Silber stated that she just wanted to clarify two things one is you can do what you want but there is a letter that went out and a list of questions and answers that was provided to Sligo Branview and the other is in terms of the waiver and I want to be clear and that is in terms of a waiver which is not even called a waiver is with regard to the height the code allows in commercial revitalization overlay zone a building on this property and in this area to get up to 42 feet if it meets certain requirements including conformance of the Master Plan. Beside that it is not a waiver the Planning Board is looking at various considerations and deciding if it is appropriate. We meet parking requirements we exceed setback requirements by over 10 feet, we have set back the building from where we have initially proposed and are about 29 feet from Flower Avenue and Arliss so the only thing there is actually a waiver on is the height. Otherwise this property is in conformance with the code and the master plan.

(See informational materials section for Memorandum re: Long Branch Community Outreach, 3 newsletters from Sligo Branview and Washington Adventist Healthcare Center at Long Branch Questions from the Community).

Debbie Spielberg thanked everyone for there input and stated that she did not think there was time for a debate on the Long Branch Medical Building and it seems fairly clear where folks are at this point and when we get to the discussion of the issue if we have questions or feels like something has not been represented to this point we can talk further. We very much appreciate everyone coming here because it is helpful to hear from everyone in the community and we have heard.

County Executive Report:

Paul Folkers reported that:

- The County Executive has recommended his FY07 Capital Budget and FY07-12 Capital Improvements Program released the middle of January (*for details* www.montgomerycountymd.gov). The County Executive recommended CIP is a \$2.7 billion dollar spending plan that focuses on the Executive top priority which has been Education and increases school construction funding by 27% over the previous Capital Budget. It fully funds the Board of Education 1.2 billion request for six year period. Adding needed capacity and reduce the number of relocatable classrooms by opening one new high school and four new elementary schools, reopening two elementary schools, constructing 14 school additions and planning and building six new elementary school addition projects. Other project included Public Safety, Transportation, Economic Development, and Parks and Recreation. This budget reflects an increase over the last Capital Budget by \$275 million dollars or an 11.5% increase.
- Montgomery County has a triple A credit rating and the second longest in County Government.
- Dr. Charlene R. Nunley, President of Montgomery College, announced her plans to retire.
- The Speed Camera Legislation has been approved. The County is now planning to implement this program. This was basically done specifically for Montgomery County so we end up being a pilot for the entire State. We are going to make sure that the program is clearly understood. The focus of the effort will be on pedestrian and traffic safety particularly near schools. The Police Department is developing criteria of where the cameras will be placed.
- Library users in Montgomery County can now call the new Public Library Information Line -- 240-777-6500 -- to receive information about closings and other unexpected changes affecting library schedules. Information on the line is updated, as needed, and is available 24-hours a day, seven days a week.
- The County has been successful in getting Federal funding for its gang prevention efforts about 750,000 dollars.
- The Montgomery County Board of Elections will conduct voter registration drives on Saturdays from 11 a.m. to 2 p.m. at local public libraries during February, March and April, according to the following schedule. There will also be demonstrations on how to use the voting machines.
- Montgomery County Executive Douglas M. Duncan officially opened the County's new Office of Consumer Protection (OCP) and announced the hiring of a Latino investigator who will specialize in consumer protection issues impacting the Hispanic and Latino communities. Duncan was joined by County Council Member Tom Perez, who sponsored the legislation creating the new free-standing Office of Consumer Protection, which had currently been a division within the County's Department of Housing and Community Affairs.
- An interesting program has been initiated by the Department of Health and Human Services and County Department of Fire & Rescue Service called the *File*

of life and what it is a communication tool for emergency medical personnel to get quick information about an individual medical history. File of life is a red

- Plastic magnetic file pocket that attaches to the refrigerator and allows emergency medical personnel quick assess to your medical conditions, medications, allergies, person to contact etc. You can contact the Department of Health and Human Services at 240-777-3000 to get one mailed.

Discussion

Alan Bowser stated to Paul Folkers that one of the issues of concern of the Board is Tree Maintenance and adequate funding for that County function. One of the issues we brought to the County's attention was a street at the corner of Pennsylvania and Michigan. The County staff told us the tree would be cut down by the end of the year and this has not happened so I would appreciate it if you would check with the tree maintenance people and see if there is anything to do to expedite.

Gary Stith asked where the tree is located.

Charlotte Coffield responded that the tree is at the corner of Pennsylvania and Michigan Avenue right down the street from the Coffield Center.

Korey Hartwich asked when you were discussing the speed cameras you suggested it was for pedestrian safety but can I clarify what the range of picture taking by the cameras and does it get beyond the cars.

Paul Folkers stated basically the cameras focus on getting the license plate.

Phil Olivetti stated that Montgomery Hills resident's have already asked about speed cameras. So when the information does get written up in terms of guidelines that you could make sure Gary Stith receives copies because people want the speed cameras.

Paul Folkers stated changes are there will be mobile component to this speed camera program so they will be able to move around to various locations.

Mitch Warren asked if it was true that County is having difficulty getting State matching funds for the Silver Spring Transit Center project.

Paul Folkers stated that Montgomery County has been pursuing matching funds from the State toward the additional funding that we got from the Federal Government and we asked for matching funds from the State. I apologize but I have been away for the last couple of week. I will have to look into the current status and see where we are.

Mitch Warren stated that he knew Gary Stith would be talking about the Silver Spring Library later but everyone here is concerned about the potential delays of the project and we have a letter that Alan Bowser and Debbie Spielberg worked on that we are going to hopefully send but I just wanted to give you an opportunity to respond to all of the concerns here about delaying that project.

Paul Folkers responded that the County Executive had a tough job and has done the best he can to really balance the demand for dollars in the Capital Budget and certainly education has always been a top priority to the County Executive and I think that is reflective in the requested funding from the Board of Education and keep in mind some of that money is coming to the Board of Education in later years as opposed to early years when they would prefer to have it. The County also has other areas of importance such as public safety, and libraries and so forth. When it came to looking at project I think what we generally try to do is that OMB has the responsibility of developing the Capital Budget is to look at what projects are ready to go you have the land and design etc., so they are ready and it is easier and those that we don't have the land or pieces have not come together yet is a challenge. Certainly for the Silver Spring Library is a continue priority for the County Executive and certainly if things change the next iteration of Capital Budget it will be included.

Eric Hensal asked Paul Folkers about the survey results for the Emergency Preparedness and they where not complete the last time I asked about and I just wanted to know the status.

Paul Folkers stated he would put the Board in contact with folks in the Homeland Security Office because this is not something I monitor every day basis. Certainly you can contact them and asked when the information is made public that you receive a copy.

Mark Woodard asked Paul Folkers was it true that resident's that are going to use this new Silver Spring Library will have to pay to park there car to go to the library.

Paul Folkers stated in general when it comes to urban libraries this is true and parking is in high demand and this is taking place at the new Rockville Library as well which is part of the Redevelopment Program and revitalization of the City of Rockville.

Gary Stith stated that at Bethesda Library you have to pay for parking. In an urban setting you have to be able to manage the parking and free parking ends up being utilized by people that should not be using free parking so the only way to manage it is to charge for parking. The expectation is that there is not going to be room on the site to put parking for the library and right across the street is the Wayne Avenue Garage and yes if you park there you have to pay doing the week before 6:00 p.m. and on weekends it is free so it depends on what time you go to the library.

Korey Hartwich asked how to we deal with the differential salaries in our community presumably when you say manage traffic that will hit people in different ways so those people that are on the margin or edge and do not make as much money it will be a discouraging factor for using library doing the daylight hours don't you think and how is that reasonable.

Gary Stith stated that parking is .50 cent and hour.

Paul Folkers stated that he would guarantee that if you looked at most Urban Libraries in other parts of the Country people have to pay for parking.

Korey Hartwich stated that he thought everyone understood what Paul Folkers was saying but that this is the first time we have had to deal with it and we are a little surprised and it may hit folks in different ways so I am just curious if this has been thought through and if you could cite some sort of facts and obviously if you could bring that to us after the fact that's okay but that this won't discourage use of the library

Paul Folkers stated that at the appropriate time when the Board receives information regarding the library project it may be appropriate to have a presentation at that time that will cover the parking issue as well.

Chair's Report

Debbie Spielberg reported on the following issues:

Committee Structure

The Chair's Recommendation on Committee Structure

According to the bylaws, the Chair is required to "review the relevancy of all committees at least annually," and "report the findings of the review of committees and propose the composition of standing committees to the Executive Committee each December. The Executive Committee shall recommend changes in the composition of the Standing Committees at the Annual Meeting of the Board. These changes shall become effective only by a majority vote of the Board. Once confirmed by the Board, the composition of the Standing Committees shall be affixed as an Appendix to these Bylaws."

Please review these recommendations, which I will present at our February 13th meeting. No decisions will be made at the February meeting.

My recommendations are as follows:

Commercial and Economic Development (CED): The Committee should remain as is.

Rationale: The Committee seems to have sufficient topics and breadth for its monthly meetings.

Neighborhoods Committee: The Committee should remain as is. Public safety should remain as a topic for this committee.

Rationale: Past work has shown that public safety does not warrant a separate committee. The Urban District Advisory Board follows the topic for the Silver Spring CBD, and their goals and this Board's are the same in the area of public safety. The major public safety issues that SSCAB needs to monitor are in the neighborhoods outside of the CBD. There is not enough on an ongoing basis to form the basis of an entire committee's work.

Transportation & Pedestrian Safety: The Committee should add Public Infrastructure to its issues and be renamed Transportation, Pedestrian Safety and Public Infrastructure. This could include utility issues specific to the SSCAB region such as electricity outages, maintenance of county recreation buildings and sewers.

Rationale: There are some infrastructure issues that should be addressed in an ongoing manner and while these issues could be placed under the Neighborhoods Committee's domain, that Committee seems to have sufficient topics to address. Adding this issue is not intended to de-emphasize the importance of the many Transportation-related issues.

Budget/Fiscal Policy: The Board should designate one Board member to monitor the capital and operating budgets of the County and bi-county agencies. This member will track the relevant dates, monitor the proposals, meet with Committee chairs and others as necessary, make recommendations to the Board and insure that the Board consider and weigh in on these issues at the appropriate times. This member shall report to the Executive Committee at its monthly meetings. When needed, ad hoc committees can be convened to assist this member in various efforts, such as drafting priority lists for operating and CIP budgets.

Rationale: Another committee threatens to overextend our abilities – the Board has 3 active Committees, and the Board will soon be required to appoint one Member to serve both on the SSCAB and the Urban District Advisory Board; that Member will not be required to serve on another committee. In addition, monitoring budget issues does not lend itself well to monthly committee meetings.

If Board members have questions or comments at this point that is fine but I don't think we will make a decision tonight because according to the Bylaws we are not suppose to until the Annual Retreat.

Discussion

Alan Bowers stated that he was curious as to how the Chairs recommendations duck tail with the draft bylaws to be considered by the Board this evening. The draft bylaws have a number of standing committees. Budget and Policy and Public Safety ones that I think are absolutely critical to the operation of this Board. The draft bylaws don't include these two committees so I don't know how we square the circle. I would like to recommend that the draft bylaws include standard committees for Budget and Policy so we have an opportunity to discuss your recommendation at the Annual Meeting. I am concerned that the draft bylaws go different way for standing committees and your recommendations don't really dove tail with that.

Debbie Spielberg stated that her understanding is the Chair's recommendations should not necessarily change anything. I understand what you are suggesting is that you think the bylaws that we approve this evening should basically preserve what there is of standard committee and at the annual meeting we make a decision about the committees and than we can amend that section of the bylaws which is the **Appendix: List of Standard Committee**

Korey Hartwich stated that he thought the goal of the bylaws was to ratify what the Board has done so far or to put into our bylaws what we are going to do from here on out. Given that we do not have those two active committees currently which Alan Bowser mentioned that is why they were eliminated in my draft not because I think they are bad committees but because we are not

actually doing it so they should not be in the bylaws. If we decide in the future to add those two committees I certainly don't have a problem amending the bylaws, doing it quickly and adding to two new committees.

Debbie Spielberg stated that the Committee Structure is a working document as we are not voting on it and I had put out a request for folks to comments on what they thought should happen on the committees and did not get much commentary so I went forward with what I thought made sense and put it out for people to comment and there is plenty of time to comment and feel free to share your comments.

Choosing a chair of the Transportation & Pedestrian Safety Committee

Please review this proposal, which will be discussed and voted on at the February meeting.

Because Jose Vasquez resigned from the Board, the Transportation and Pedestrian Safety Committee does not have a chair. Therefore, I propose that the Transportation and Pedestrian Safety Committee have an interim chair(s) until the Board's retreat (which will probably be in May – date to be chosen soon!) at which point, a new chair can be selected. I can serve as interim chair for the February meeting (and others as necessary). Other Board members who have participated in this Committee could also chair the meetings.

Rationale: The Committee did not discuss or choose someone to take Jose's place, and I believe committee members who have been attending the Committee meetings should have an opportunity to comment on the selection of the next Chair. In addition, during this time period, new members to the Board (who will be confirmed in time for our March Board meeting) will have an opportunity to participate in this discussion.

Discussion

Debbie Spielberg stated that what she was looking for tonight is commentary. I will act as interim Chair of the Transportation & Pedestrian Safety Committee and if I can't others are welcome to Chair and this would be for February, March and April and hopefully by the Retreat would be before the next meeting and this issue will be resolved.

Alan Bowser stated that he thought it was absolutely essential that we have an effective and working Transportation/Pedestrian Safety Committee not only for the Transit Center, but for the Metropolitan Trail and the big issue about beltway widening and other issue as well as Pedestrian Safety in Long Branch which has not been getting enough attention. So I think having a number of Chairs over the course of the next couple of months does not really do justice to the issue and I am wondering if it is not appropriate to try and find somebody that can handle that now. I know there are Board members that have expertise in Transportation issues and it seems to me that we should be passing responsibility onto those people rather than going over a number of interim chairs over the next couple of months

Phil Olivetti stated that the Board has a committee system and for the three years I've been on the Board the committees have always recommended the Chair and we pretty much have given credence to there selection. I think for this Board to go a different direction and appoint somebody without getting the committees perspective is unfair to the Transportation/Pedestrian

Safety Committee and I think an interim chair can adequately fill the void until we find someone to take over full-time.

Alan Bowser stated that if you look at the facts only a number of Board members go to the Transportation/Pedestrian Safety Committee meeting and two members are Chairs of standing committee right now. If it would help the Board I would takeover the Transportation/Pedestrian Safety Committee and pass the Neighborhoods Committee to a different person. I think Transportation/Pedestrian Safety Committee is important and particular Pedestrian Safety issues because how many more people need to die by traffic accident in our community and I think it is so important that we can not push it off as something we are going to get to in the summer. All the members Transportation/Pedestrian Safety Committee for all intense purposes who would vote on a Chair are sitting here right now. So you really don't have to go back to non-board members to make that decision and I do understand your point.

Mitch Warren stated that he agreed that Transportation/Pedestrian Safety is important and has a lot of key transportation issues coming up. I am not sure of one of the people that have gone to the meetings and have not gone to last couple because I have been going to the CED Committee meeting recently cause of the Civic Building. I not sure of who you are thinking of because there have not been many people attending regularly and there is no clear successor is basically what I am trying to say so I am not sure how it benefits us to make a decision now and I am not sure what you have in mind so from my experience of going to the meetings there has not been anyone regularly.

Eric Hensal stated that if someone has basic experience with Transportation/Pedestrian Safety I don't think we have to look because again there are a limited number of Board members that attend the Transportation/Pedestrian Safety meetings. I think taking the early note of expanding the committee's portfolio into public infrastructure and utility issues is something that has not been taken up by anybody as Chair of that committee. I think that someone who has not necessarily been there on the Committee to be a Chair because we will be taken on and supporting these recommendations and more issues and I think electric utility issues are going to be a growing problem.

Debbie Spielberg stated that one of the reason she made this proposal of an interim chair was because there has not been anyone going regularly and we also have new members coming on board in March and not necessarily that we have to wait for new members but we are down four members and will get four new members in March so this would be an opportunity for them to weigh in but also there may be people that have a wide range of ability or eager to get involved.

Korey Hatrtwich stated that at any point a member of the Board can make a motion on the subject and so if you want to make a motion i.e. I would like to make a motion to appointment an interim chair or I would like to make a motion to vote on a chair now would be the time to do that.

Jon Lourie stated his questions was related to the bylaws under Chairs it stated that Co-chairpersons shall be elected by the relevant committee from among its member annually so my question is how where committee chairs appointed before.

Korey Hartwich stated that as far as I am aware there was nothing in the previous bylaws so it was done on an ad-hoc and non-rule base fashion.

Jon Lourie asked was the Chair of a committee appointed by the Chair of Silver Spring Citizens Advisory Board.

Korey Hartwich stated that his understanding was sometimes the previous Chair would sort of pick his successor and people would agree or other times there were elections and other times perhaps appointments. It was on ad-hoc bases and no rules governing it and that is why it is in my proposal for new bylaws.

Phil Olivetti stated that there may not be any rule governing it but point of fact is that the committees themselves would get together in an informal fashion at the meeting and indicate who they wanted to have as their chair and co-chair. It was done in the CED and the Transportation/Pedestrian Safety Committee and I have never attended a Neighborhoods Committee so I can not speak to that but for the two committees I can state that the committees themselves had an input into who was the chair and that information came back up and forwarded to the Silver Spring Citizens Advisory Board, Chair and they made the decision. This has been our practice for those two committees.

Debbie Spielberg stated that she would like to recommend Darian Unger who regularly attends the Transportation/Pedestrian Safety Committee Meetings and who unofficially announced will be joining the Silver Spring Citizens Advisory Board in March.

Darian Unger stated, there is a hand full of people in the room that attended the last Transportation/Pedestrian Safety Committee meeting and we are in the audience Bob, Dale, Muriel and me. To the extent that perhaps we might provide some base for transition because we have been going to these meetings and yes I will be joining the Board presumably next month after my nomination is approved by the County Council. If we can lean to the committee for help especially if we would like to do this from the ground up I would be happy to help.

Motion: (Olivetti, Grigsby) Phil Olivetti stated that he would like to make a motion that we move to appoint an interim chair to fill the vacancy on the Transportation/Pedestrian Safety Committee and that interim chair will hold that position until the May 2006 meeting and that person be appointed tonight.

Comment on Motion

Kathy Stevens stated that she would be very willing to volunteer to be the interim chair until the May meeting.

Alan Bowser stated that Phil Olivetti had made a motion to have an interim chair until May and that the person be appointed this evening and that was first and second so we are going to vote on that to appoint an interim chair. If we are going to appoint an interim chair this evening is that a second motion on a nomination and in which case I call to question on the interim chair proposal that Phil Olivetti made.

Debbie Spielberg stated that the vote will be on whether to have an interim chair for the February, March and April Transportation/Pedestrian Safety Committee meetings and the Board will not be voting on whom that interim chair will be is that an accurate reflection.

Jon Lourie stated that it seems like the intent of the bylaws is to have the Chair elected by the members of the committee so the point of the bylaws that we are going to be reviewing tonight.

Korey Hartwich stated that the Committee Structure will in the future if the bylaws pass the committees will elect there own Chairs and that will be official.

Jon Lourie asked if that was board chair and committee chair.

Korey Hartwich responded yes.

Jon Lourie reiterated that the proposed bylaws state under Chairs it stated that Co-chairpersons shall be elected by the relevant committee from among its member annually. So my only questions is that he had just heard Darian Unger talk to the point that most of the attendees of the last meeting are members of not this board so it seems to me that the committee should probably meet and they should appropriately weigh in on this rather than it being appointed tonight.

Debbie Spielberg asked Jon Lourie if he met there should be an interim chair but that person should not be chosen tonight.

Jon Lourie stated that he did not understand

Debbie Spielberg we have no chair for the Transportation/Pedestrian Safety Committee and there is a meeting next week. So someone needs to be the point person. I am willing to do that but I do have a scheduling conflict for another Board requirement but I am willing or someone else can Chair that but there is no one to Chair the February meeting and there was a question of whether we just pick the next Chair or whether there be an interim chair.

Jon Lourie stated he would ask Phil Olivetti to accept a friendly amend to his motion and that the appointment of an interim chair should be pending an election by the Transportation/Pedestrian Safety Committee.

Phil Olivetti agreed to Jon Lourie amendment to the motion.

Eric Hensal stated to Korey Hartwich that he new there was guidance from the County Attorney regarding what the input can be from non-members in terms of there voting.

Gary Stith responded that he has not had an opportunity to get in touch with the County Attorney's Office.

Korey Hartwich stated that we have repeatedly asked the County lawyers opinion. There initial opinion was that non-board members where not allowed to vote or make official decisions and

that is all we have so far. So I guess if we chose to follow the recommendations of the County Attorney than it would have to be Board members who are also members of the Committee that get to vote. We have chosen to ignore those suggestions until they are clarified and we encourage members of the community to take full activity and make decisions in the committee.

Alan Bowser reiterated that he called to question on Phil Olivetti's suggested without the friendly amendment which we appoint an interim chair this evening.

Debbie Spielberg stated that the question is on Phil Olivetti's motion as originally stated which is that there be an interim chair for February, March, and April, Transportation/Pedestrian Safety Committee meeting and a new chair will be selected in May and does not chose who that interim person will be.

Motion: The Silver Spring Citizens Advisory Board agreed that there be an interim chair for February, March, and April, Transportation/Pedestrian Safety Committee meeting and a new chair will be selected in May and does not chose who that interim person will be. One member opposed the motion.

Alan Bowser made a motion to nominate Debbie Spielberg as interim chair for the February, March, and April, Transportation/Pedestrian Safety Committee meeting unless the members of the committee decide before than to elect a chair.

Graciela Jaschek stated to the board that Kathy Steven essentially volunteered to help with the transition process.

Alan Bowser stated that if he where to make a nomination it would be Eric Hensal to be the interim chair because he worked on transportation issues very extensively in the Transit Authority and he has indicated that he would like to do this.

Motion presented by Alan Bowser is that Debbie Spielberg be the interim chair for the February, March, and April, Transportation/Pedestrian Safety Committee meeting and it is assumed at that meeting the committee members will discuss who the next chair will be.

Phil Olivetti stated that Debbie Spielberg said she had a conflict for the next meeting and that he was voting against her being the interim chair because Kathy Stevens has already volunteered.

Kathy Stevens stated she was not going to fight over this she new a void existed and she was just trying to be helpful and I would like to do it on an interim basis with the help and input of the committee members.

Mitch Warren wanted to know if the Transportation/Pedestrian Safety Committee would select an interim chair at there February meeting for the next two meetings or for the next year. The reason I voted against Phil Olivetti's motion is that I wanted the Transportation/Pedestrian Safety Committee to be able to discuss it's chair and hear from folks and I think what Alan Bowser is suggesting helps get at that but I am still a little bit confused.

Korey Hartwich stated his understand of the motion is that there will be an actual election in the Transportation/Pedestrian Safety Committee and they will elect that person for the annual one year Chair.

Debbie Spielberg stated her understanding of the motion is that she would be the interim chair for the February meeting and the issue of chair should be discussed at the meeting.

Mark Woodard asked why we had to make a decision on an interim chair tonight given that the people most active on the Transportation/Pedestrian Safety Committee are in the audience.

Motion:

The Silver Spring Citizens Advisory Board agreed that Debbie Spielberg would be the interim chair Transportation/Pedestrian Safety Committee for February, March, and April 2006.

Debbie Spielberg stated that included in the packet was a draft letter regarding a funding issue for the Silver Spring Library on Page 19.

Silver Spring Library

Motion: (Bowser, Grigsby) moved that the letter on Page 19 regarding the Silver Spring Library be adopted.

Discussion

Jon Lourie stated that he was a little concerned and obviously I fully support the letter but on the other hand I feel that the board needs more background information regarding the status of the library and what community input to date and what is its current status in the County Government planning process. So I am just a little unsure of what the exact two year delay in funding and what has caused that.

Debbie Spielberg stated that Jon Lourie essentially would like more background from Gary Stith.

Jon Lourie stated that he has heard conflicting information in regards to why this is taking an extra two years and why it has been delayed and I think the Board needs to get actively involved in this process. Discussion on how we go about exploring this issue whether it through our standard committees or have a separate task force for it. I move here sixteen years ago and thinking twelve years ago that we would have a new library by 2006 and I thought that was a long way off and now we are talking 2012 so I just don't understand why it is taking so long

Debbie Spielberg stated she had e-mailed Gary Stith some questions based on discussions with various people and perhaps Gary Stith can walk through it in terms of who the County agencies are involved in the library planning, what is a little bit of the history, when was this originally proposed, is there a Program of Requirements, what will the FY07 funds be used for, what will the delayed funds be used for, what are the steps that need to happen, land acquisition, discussion if this is a public, private partnership etc.

Alan Bowser stated that there were two questions that could expedite this. Is there anything factually wrong with the letter we have written and does Gary Stith have a problem with it and if he does not we can move off of this letter and do some of the Board's other business and have Gary Stith talk about this at the end of the meeting under new business or the Directors Report. I think there is a consensus that the Board supports this letter.

Motion: (Bowser, Seitz) the Silver Spring Citizens Advisory Board agreed to send the Library letter.

By Law Discussion

Korey Hartwich presented the proposed revision to the Silver Spring Citizens Advisory Board Bylaws on February 2006 as follows:

We will try to answer all questions that Board members may have and then we will go into amendments you would like to make to the package and then we will vote on the package as a whole.

Korey Hartwich reiterated that this document is trying to clean-up the old bylaws to make them fit with our current practices and things have been removed at the request of the Montgomery County Attorney's office because they believe we do not have the power to do that and/or the items should not be in bylaws at all such as name jurisdictions, membership, removal of members and polling are all things we don't officially have the power to do so that is why they were removed.

Proposed Bylaws

ARTICLE I. PURPOSE

It is the mission of the Silver Spring Citizens Advisory Board to work as a collegial unit to develop strong community leadership and organization, and to invest its best efforts to ensure that the Silver Spring Region is a livable and vibrant community where housing, employment, schools, community organizations, parks and community services are located together, flourish in a safe and hospitable environment, and are conveniently accessible by appropriate and environmentally friendly modes of transportation.

The Board advises the County Executive and the County Council, and other appropriate governmental bodies, when and where appropriate on policies and programs, proposing solutions to problems and recommending actions. As it pursues this mission, it works with and consults the Director of the Silver Spring Regional Service Center and other county governmental officials.

The Board shall pursue its mission by supporting valuable social, economic and political programs, by identifying existing or potential problems that may negatively affect the welfare of the Region, and by defining needed actions and programs intended to ameliorate these identified problems. The effectiveness of these efforts shall be measured by their results in improving the quality of life for the Board's constituency and generally in the Region. The Board will also serve as advocates for the communities in the service area, and communicate, when possible and

appropriate community concerns to the County Executive, County Council, and other appropriate governmental bodies.

ARTICLE II. MEMBERSHIP

Section 1. Appointment to Vacancies. As allowed by County law and regulation, an ad-hoc Membership Subcommittee, elected by the Board, may conduct the screening of candidates for vacancies on the Board on an annual basis and shall forward its recommendations for submission to the County Executive. Those recommendations may be used for appointments for vacancies throughout the year. All candidates shall be encouraged to attend Board and committee meetings.

Section 2. Resignations. Any member of the Board desiring to resign may do so by communicating his or her intentions to the County Executive. A copy should also be sent to the Board Chair and to the Silver Spring Regional Center.

ARTICLE III. OFFICERS

Section 1. Officers. The officers of the Board shall be a Chair, an Executive Vice-Chair, and a Parliamentary Vice-Chair.

Section 2. Election. Regular election of officers shall take place at the Annual Meeting held in June. An ad-hoc Nominating Committee, whose members are appointed by the Chair and confirmed by the Board, but shall exclude the Chair and candidates for officer, shall be established no later than the May Board meeting and shall work to develop a slate of officer nominations. If circumstances prevent the election from being held in June, the election shall be held as soon possible thereafter, but no later than the end of the September meeting of the Board.

Section 3. Term. All officers serve at the pleasure of the Board. The terms of office shall be one year or until their successors are elected, and will begin at the first meeting of the Board's parliamentary year, beginning in September. There will be a two full year limitation on consecutive terms. Officers may be sanctioned or removed from their positions by a two-thirds vote of the entire Board. Removal of officers shall be for substantial cause, which may include absence from Board or Executive Committee meetings, legal indictment for criminal acts, economic or political conflicts of interest, deficiencies in carrying out the member's duties, and interference with the orderly conduct of the Board's business. Candidates for removal shall be notified in writing by the Parliamentary Vice Chair or the Chair, and will be given the opportunity of redress before a regular meeting of the Executive Committee. Proposal of removal shall be made by the Parliamentary Vice Chair or the Chair at the regular meeting of the full Board immediately following the removal hearing by the Executive Committee.

Section 4. Qualification. The nominating committee will present all qualified and willing officer candidates to the full Board. Candidates shall be deemed qualified if they have served on the Board and one standing committee for a period of one year or if they demonstrate unusual civic or personal experience relating to the Boards charter and purposes. Nominees will be given the opportunity to present their qualifications and state their reasons and objectives for serving as an officer to the full Board.

Voting for the election of officers shall be by written ballot of the Board members in attendance at the meeting of the Board where a quorum is present. Those candidates receiving a majority of votes shall be deemed to be elected.

Section 5. Chair. The Chair shall be the executive representative of the Board, shall preside at meetings of the Board and the Executive Committee, shall serve as an ex officio member of the Standing Committees, shall be empowered to appoint ad hoc committees subject to the approval of the Executive Committee or the Board, shall be empowered to convene issue study groups, shall be the official public spokesperson for the Board, supervise the Board's correspondence (sent and received), and shall perform all duties usually pertaining to the office of Chair. For all meetings requiring a quorum, the Chair shall determine the presence or absence of a quorum, which shall be a majority (one-half plus one) of the Board membership.

Section 6. Executive Vice Chair. The Executive Vice Chair shall serve as the Chair in the absence of the Chair, shall formulate the agenda of the Executive Committee, shall represent the Chair in public discussions if the Chair is unavailable, shall monitor the progress of the Board in meeting its Purpose and Objectives, shall determine the form and content of reports and requests for action brought to the Board, shall prepare an Annual Report of the activities of the Board and its committees for presentation prior to the Board's annual retreat, and shall be responsible for obtaining appropriate support from the Silver Spring Regional Center and other supporting agencies and departments of the County. The Executive Vice Chair shall also keep track of attendance, conduct a preliminary review of draft minutes, maintain an updated list of area civic organizations and press, and take on special projects, particularly with regard to issues not being handled by a standing or ad-hoc committee, or of issues where more than one committee claim jurisdiction. The Executive Vice Chair will be responsible for providing, or arranging for the provision of, an orientation for new members that will help them to become productive members of the Board as quickly as possible.

Section 7. Parliamentary Vice Chair. *The Parliamentary Vice Chair shall be responsible for administering the agenda of the Board meetings, shall ensure adherence to Robert's Rules of Order Newly Revised, and shall be responsible for administering and maintaining the Bylaws. The Parliamentary Vice Chair shall also be responsible for providing a basic orientation to new members on procedures, bylaws, and operations.*

Section 8. Meetings Chair. In the absence of the Chair at a Board meeting, the order of precedence for chairing meetings shall be Executive Vice-Chair, then the Parliamentary Vice-Chair. If none of the elected officers is present at the designated start of a meeting, a member may call the meeting to order and conduct the election of a Chair Pro Tem to preside during that session only and until such time as a duly elected officer enters.

Section 9. Vacancies. Should a Board officer resign before the expiration of his or her term, the Board shall elect a successor. The Executive Committee shall identify candidates to fill such vacancies and shall bring their nomination to the full Board no later than the second Board meeting following the resignation of an officer. The Chair, with the approval of the Board, may appoint a member to serve as an interim officer in case of the resignation of the Executive Vice Chair or Parliamentary Vice Chair.

Section 10. Executive Committee. An Executive Committee shall consist of all officers combined with the Board member chairs of each of the standing committees, and the Director of the Silver Spring Regional Center, as a non-voting, ex officio member.

- a. The Executive Committee shall act on behalf of the Board at such times where action by the Board is required prior to the next regularly scheduled Board meeting and notice of the need for such action was not received by the Board in a timely matter. The Executive Committee may not amend or reverse any Board action. The Board may, on the other hand, amend or reverse any Executive Committee action.
- b. The Executive Committee shall be responsible for agenda development and approving and signing correspondence as appropriate. The Executive Committee shall refer matters to committees. The Executive Committee shall designate an ad-hoc Bylaws Committee, chaired by the Parliamentary Vice-Chair, to review the Bylaws and draft revisions for full Board consideration as the Board deems necessary. The Executive Committee shall issue to the Board a monthly report that includes the progress of the Standing Committees, new business to be considered by the Board, and a summary of substantive matters affecting the general welfare of the Region.

ARTICLE IV. MEETINGS

Section 1. Frequency. The Board shall meet in public session on the call of the Chair as frequently as required to conduct its business, but not less than once a month. Unless otherwise established by the Board, Board meetings shall be held on the second Monday of each month at the Silver Spring Regional Center or at another public, accessible facility within the Silver Spring Region. The Chair, with the concurrence of the Board, may determine that a given monthly meeting may be omitted. Special Board meetings may be called by the Chair or by any five members, provided members receive notification at least five business days in advance of any such meeting. If a time, date, or place of a meeting is changed, or in the event of a special meeting, every effort will be made to inform the public of the details of such a meeting prior to such meeting.

Section 2. Notification. Public notice of the date, time and place of each meeting will be made through an information release to local English and appropriate non-English language newspapers, an announcement posted on <http://www.montgomerycountymd.gov/> and <http://www.montgomerycountymd.gov/silverspring> by inclusion in the mailed agenda for each meeting, and by verbal announcement by the Chair at each prior meeting.

Section 3. Annual Meeting. The Annual Meeting shall be held in June and shall be for the purpose of receiving annual reports of the Executive Committee, other Board committees, election of officers, and other business that may arise.

Section 4. Annual Retreat. The Annual Retreat of the Board shall be held in the spring of the Calendar year after the appointment by County Executive of any new Board members whose terms begin in that Calendar year. The date of the Annual Retreat shall be set by the Executive committee and announced at least one month in advance by the Chair. The purpose of the Annual Retreat shall be to discuss organization, actions, programs, processes, procedures and priorities of the Board. Recommendations for action shall be researched and documented, confirmed by the Executive Committee and reported out from the Executive Committee to the Board for a vote of the full Board at the next regularly scheduled meeting of the Board.

Section 6. Quorum. A quorum is defined as a majority (one-half plus one) of the Board membership. A quorum is required for any votes and motions by the Board to be effective and binding.

Section 7. Public Involvement. Members of the public, particularly residents of the Silver Spring Region, are encouraged to attend meetings of the Silver Spring Citizens Advisory Board and to become members of its committees. All sessions of the Board, the Executive Committee, and Board committees shall be open to the public, except as allowed by the State Open Meetings Act, and held in an accessible public place. Non-Board members may participate in Board discussions when recognized by the Chair or at the request of the Board.

ARTICLE V. AGENDA ITEMS

Section 1. Admittance. Board members may place items for discussion and/or action on meeting agendas by notifying Regional Center Staff or the Board Chair three days prior to the Executive meeting. A position paper containing background information should be submitted by the member and distributed to all members in the regular pre-meeting mailing. A position paper must contain at least the purpose of the item to be heard by the Board, a specific request for action, the potential effects on the constituency of the Board, facts substantiating the need for action, and a time frame for action. An individual or group wishing to have the Board address an issue should do so through the Chair, who may refer such items to committee, or directly to the chair of a committee with jurisdiction.

Section 2. Motions. Motions shall be made only on those agenda items presented to the Board in the manner prescribed above. An item presented verbally by a member at one meeting shall be held over until the next meeting to permit preparation and distribution of the pertinent background information and the recommended position, except in case of scheduling difficulty or emergency.

Section 3. Exceptions. If circumstances preclude the requisite one-month holdover of an agenda item presented without written background material, a two-thirds vote of members present (at least a quorum) is required for a motion on such an item to pass.

ARTICLE VI. STANDING COMMITTEES

Section 1. Establishment and Dissolution. Standing Committees shall support the Board in achieving the objective of providing strong community leadership and organization on behalf of the Board's constituency. Establishment of a standing committee shall be suggested by any Board member, shall be recommended by the Executive Committee, and shall be approved by a majority vote of the Board.

Dissolution of a standing committee shall be made if the existence of the committee no longer serves the purposes of the Board. The Chair of the Board shall review the relevancy of all committees at least annually. The Chair shall report the findings of the review of committees and propose the composition of standing committees to the Executive Committee each December. The Executive Committee shall recommend changes in the composition of the Standing Committees at the Annual Meeting of the Board. These changes shall become effective only by a majority vote of the Board. Once confirmed by the Board, the composition of the Standing Committees shall be affixed as an Appendix to these Bylaws.

Section 2. Membership. Each Board member shall be a member of at least one standing committee, unless explicitly exempted from this responsibility because of other responsibilities for the Board, and shall regularly attend meetings of that committee.

Section 3. Composition. Each committee shall be composed of two or more members of the Board and any interested non-Board members residing in the Region.

Section 4. Chairs. Each committee will have co-chairpersons, one who is a member of the Board and one who is a resident of the Region who is not a member of the Board. Co-chairpersons shall be elected by the relevant committee from among its members annually. The committee Chair who is a member of the Board shall be member of the Executive Committee of the Board. The Chair who is a member of the Board will be responsible for preparing a report for the Board monthly, and shall prepare an annual report for the consideration of the Board.

Section 5. Meeting. *Each committee shall meet regularly, not less than once a month and shall make monthly reports to the Board as a whole. However, the Chair of each committee, with the concurrence of the committee, may determine that a given monthly meeting need not be held.*

ARTICLE VII. Procedures

Section 1. Parliamentary Vice Chair. *It is the specific responsibility of the Parliamentary Vice-Chair to ensure the Board's adherence to Robert's Rules and for the general decorum of Board meetings.*

Section 2. Administration of Bylaws. The Parliamentary Vice-Chair shall study the Bylaws, administer the application of the Bylaws, advise the Executive Committee on the essential Articles and Sections of the Bylaws, and initiate review of the Bylaws.. The Bylaws must be reviewed no later than at the third yearly anniversary of the latest adoption date of the version of the Bylaws then in effect.

Section 3. Amendment. These Bylaws can be amended at any regular meeting of the Board by a two-thirds vote provided that the amendment was submitted in writing and read aloud at the previous regular meeting and included in the official agenda.

ARTICLE VIII. LEGALITY

Should any of these Bylaws be contrary to the laws of Montgomery County or the laws of the State of Maryland, the invalidity of such part shall not impair or affect in any manner the validity or enforceability of the remaining Bylaws.

Appendix — Listing of Standing Committees

The composition of the Standing Committees as authorized by the Board shall be appended to the Bylaws and construed as integral to the operation and governance of the Board.

- 1) **Commercial and Economic Development (CED).** This committee shall focus on matters pertaining to the renewal and rebuilding of the Region's commercial centers, on the plans and actions of the County, developers, and rental agents, on the flow and balance of private and public capital to the Region's commercial centers, on the extension of revitalization of the Silver Spring Central Business District and other commercial centers, and on supporting the communication and marketing of the services and facilities of the Region's commercial centers within and beyond the Region. It will also focus on matters pertaining to zoning, sectional maps, master plans, the physical infrastructure, intelligent land use, and on methods and programs designed to attract appropriate private and public capital to the Region.
- 2) **Neighborhoods Committee.** This committee shall focus on matters pertaining to the quality of life in neighborhoods, including, but not limited to community redevelopment, gateways, school-community relations, housing, education, public safety, the Arts and the natural environment of the Region.
- 3) **Transportation & Pedestrian Safety.** This committee shall focus on County, State and Federal investment in transportation infrastructure and services that ensure reasonable and safe access to facilities and services in the Region, on adequate, convenient and affordable parking, and on the use of design techniques and technologies that balance the interests of the economy, motorists and residents in the Region.

Discussion

Phil Olivetti stated Article 3, Section, Executive Vice Chair on page 24 we added language in this section that talks about keeping track of attendance, conducting a preliminary review of draft minutes, maintain a list of updated civic organizations and press and I have no idea why they are under the Executive Vice Chair position.

Korey Hartwich stated that the language was suggested by a member of the board that believed these are functions we should be covering and it was for a new position which I believe a motion will be forthcoming to the Board.

Alan Bowser stated he sent out a notice on November 1 and my memo was pretty detailed about my thoughts on committee structure and expanding participation. I think we all need to do a lot more in terms of activating the committees. I will suggest tonight that we will have a new Executive Committee position as a Secretary. It is not unusual to have a Secretary in an organization such as ours. The section that Phil Olivetti just cited are things that I suggested for a Secretary position and this was a way to increase participation at the Executive Committee and give more people an opportunity to do that type of work.

Korey Hartwich asked Alan Bowser was he suggesting an amendment to a particular section.

Alan Bowser recommended that the language Phil Olivetti was talking about at the bottom of Section 6, should be deleted from the Executive Vice Chair's responsibilities and placed under responsibility for Secretary starting with the Secretary shall keep track of attendance, conduct a preliminary review of draft minutes, maintain an updated list of area civic organizations and

press, and take on special projects, particularly with regard to issues not being handled by a standing or ad-hoc committee, or of issues where more than one committee claim jurisdiction.

Korey Hartwich asked Alan Bowser was his recommendation to add another position and new Section.

Debbie Spielberg stated that the new Section would be titled Secretary. The Secretary shall keep track of attendance, conduct a preliminary review of draft minutes, maintain an updated list of area civic organizations and press, and take on special projects, particularly with regard to issues not being handled by a standing or ad-hoc committee, or of issues where more than one committee claim jurisdiction.

Alan Bowser stated he would add another sentence other duties as Executive Committee may assign.

Alan Bowser stated his next point is on the Appendix - Listing Standing Committees. My recommendation to the Board is that we keep the existing language in the Bylaws for Public Safety and Budget and Policy Committee because I think they are really important with the understanding that we would keep this as is until we get to the annual meeting and then revisit the entire subject. I prefer not to see these things disappear tonight. We need to have a Budget and Policy Committee and not an Ad-hoc group. I think we need a Public Safety Committee because there are a lot of things in Long Branch, Woodside Park, gangs and a whole agenda of other issues.

Korey Hartwich stated that what he understood Alan Bower to say is that the language in the current bylaws that discusses the Budget and Fiscal Policy Committee you are suggesting that my proposal be amended to continue having that Committee.

Phil Olivetti agreed with what Alan Bowser in terms of the language under Section 6 it should be taken out.

Motion: (Olivetti, Warren) to remove the following language from the Executive Vice Chair. shall keep track of attendance, conduct a preliminary review of draft minutes, maintain an updated list of area civic organizations and press, and take on special projects, particularly with regard to issues not being handled by a standing or ad-hoc committee, or of issues where more than one committee claim jurisdiction.

Mark Woodard stated he would either like to see the language stay under Executive Vice Chair or alternatively move the language because otherwise who is going to do the function.

Korey Hartwich asked if Phil Olivetti would accept a friendly motion to his original motion to remove the language.

Motion: The Silver Spring Citizen Advisory Board agreed to remove the language from the Executive Vice Chair in Section 6.

Korey Hartwich we now move to Alan Bowser amendment and that is to take the same language the one sentence move it to a new place which we can call **Section 8. Secretary** -the Secretary shall keep track of attendance, conduct a preliminary review of draft minutes, maintain an updated list of area civic organizations and press, and take on special projects, particularly with regard to issues not being handled by a standing or ad-hoc committee, or of issues where more than one committee claim jurisdiction and other duties as Executive Committee may assign.

Loyce Grigsby stated that she understood what Alan Bowser was saying but she felt it was to lose as assigned by the Board you are making it sound like it is a job now.

Kathy Stevens stated she was still concern about the language and that it was inconsistent with all the other roles that we have assigned. I am also a little bit uncomfortable in creating a new position I think everyone is so stretch and we are trying to fill committees and other positions so I voted to keep the language in. Obviously it is not in but I think it is one position that will make us to top heavy. Kathy Stevens stated that her friendly amendment would be to think of another sentence that defines more specifically what your vision for the Secretary would be.

Alan Bowser stated he was really concerned about in and out correspondence making sure there was transparency and accountability about that process. One of the things that has come up several times since I have been on the Board is our relationship with civic associations not having a good list of civics and important organization to have a working relationship and nobody has that responsibility and it seems to me that a Secretary like they have on most of the Civic Associations can keep track of the external relations of the Board. I did not want to make it any more complicated than that but I think that the correspondence issue is important and we need to know what goes out and what comes in and have ready access to that and two we need to be able to reach out to the community associations and monitor the list serv and it is really important and that is how we have done some of our best work over the last year.

Loyce Grigsby stated she would suggest and other related duties and at least it compacts it to those types of things.

Korey Hartwich so are you accepting that as a friendly motion to change the language that said other duties as assigned by the Executive Committee to other related duties.

Alan Bowser stated that was fine.

Kathy Stevens stated that she needed further clarification because it specifically listed in the Chair roles that he or she supervises the Board's correspondence (sent and received). I am seeing a lot of potential for inconsistencies and overlapping.

Korey Hartwich asked Kathy Stevens if he could suggest one of two things. Are you suggesting why you are going to oppose the point or you are suggesting amendment to strike the language and making a subsidiary amendment to his initial amendment to strike that language completely.

Korey Hartwich stated that there is a revision proposal on the table. Alan Bowser has suggested an amendment that does two things first adds a section previously removed second it adds a

phase that states ***and other related duties***. It is proper to suggest an amendment and make a motion to amend Alan Bowser amendment to strike those words and other related duties

Alan Bowser asked if he could amend his motion to also take the correspondence language out of the Chairs responsibility and attached it to the responsibilities of the Secretary.

Korey Hartwich stated that if Alan Bowser wanted to added language into this section to please feel free but if you want to amend another section you probably need to make a second motion so we can deal with that.

Korey Hartwich stated to the Board that they now have a motion to consider, Alan Bowser's language to add one sentence and one phase. The sentence is on page 24 - the Executive Vice Chair also keep track of attendance and ending with the word claim jurisdiction plus extending that sentence to have the phase and other related duties.

Motion: The Silver Spring Citizens Advisory Board agreed that the sentence be removed and that an additional phase be added.

Debbie Spielberg made a motion to table the current bylaw discussion so that the Board can address the Washington Adventist Hospital issues and let folks get home.

Motion: (Bowser, Woodward) the Silver Spring Citizens Advisory Board agreed to table the current bylaw discussion so that the Board can address the Washington Adventist Hospital issue.

Long Branch Medical Building

Phil Olivetti reported that on page 34 of the packet is a letter from the Silver Spring Citizens Advisory Board supporting the proposed Long Branch Medical Building.

Last fall the CED Committee and the full SSCAB agreed to approve the letter. After we received comment and concerns from the community and specifically Sligo Branview the Board decided to withdraw the letter until we received further input and discussion. We have received the input and talk with Sligo Branview they have met with several of our committees and so it was only appropriate that we come back to this question and put this issue to rest.

Phil Olivetti stated that he is supporting this letter and it asked the Planning Board to support this particular medical building. I have also heard from Sligo Branview and others and I have to tell you I am citizens to and I respect your concerns and raised valid points. So at this point I have to say what do I think in balance is the best thing. I am not an expert on the project and I won't began to say that I have as much information as other but on balance I think the proposal is a good one and that is why I am putting it forward tonight. I know that there are others on the Board that may have very vocal comments.

Motion: (Olivetti, Seitz) moved that the letter date February 13 to Mr. Berlage, Chairman, Park and Planning Commission be adopted.

Discussion on Motion:

Korey Hartwich stated that the community has repeatedly expressed its opinion against the proposed Long Branch Medical Building and I continue my opposition that I had when we voted on this the first time. This letter should not pass as long as the community is as divided as it is. The Board should not throw our weight fully behind it. I have heard some good points but unless the community is a little more supportive I don't see why we should jump in the middle.

Mark Woodard wanted to know when the CED Committee approved the letter. I have been looking through the minutes of the last two meetings and I don't find the letter in the December or January packet.

Phil Olivetti we heard from the developer at the October 2005 CED Committee meeting and the CED Committee members voted not unanimously and the vote was to approve the letter and make a recommendation to the full Board.

Debbie Spielberg stated that the Board actually did approve the letter but before it could be sent out I was contacted by Sligo Branview and I made a decision and Executive Committee supported me on it not unanimously but to hold the letter until further discussion. So actually the Board has voted for it.

Mark Woodard stated that he has conflicting feelings on the matter. I think this is a good project the question is whether it is a good project at this place and I think therefore what I would like to do is make a motion to pull the letter back until such time as further information can be provided because again I feel very conflicted and I am hearing from the community loud and clear and also at the time this presented I think that it is important for this kind of facility to be done some place in the area but I am not convinced that this is the right place to do it. So I would like to pull the letter back in light of the concerns expressed by the community and see if there is a way to do it there or find a new location for the project. So with all of that said I move to table the letter.

Debbie Spielberg stated that the reason we are discussing this letter is the issue will go before the Planning Board on March 9.

Mark Woodward is moving to table the discussion on the Long Branch Medical Building.

Debbie Spielberg stated that means that the Board would not vote on the Long Branch Medical Building letter at tonight

Loyce Grigsby wanted to know if that meant the letter would just die

Motion: (Woodard, Grigsby), that the Silver Spring Citizens Advisory Board table the letter regarding the Long Branch Medical Building project.

Kathy Steven asked for point of clarification would there be any other discussion with members of the audience on this issue and how to move forward in an alternate way.

Korey Hartwich stated the motion is tabled but we can still bring up the business and discuss later in the meeting under new business.

Debbie Spielberg stated that due to the timing of this we could also request that CED or Neighborhoods Committees further consider this issue if deemed appropriate.

Debbie Spielberg stated the motion to table fails than there can be more discussion on Phil Olivetti's motion and we can vote on the actual letter. Currently there is a motion to table letter and a yes means we are done with discussion for the evening.

Motion: The Silver Spring Citizens Advisory Board agreed to table the letter regarding the Long Branch Medical Building project.

Carol Richardson stated that she has additional letters from the surrounding communities, the Long Branch Neighborhood Initiative, Rolling Terrace Civic Association, and Between the Creeks Neighborhood Association that support Sligo Branview Associations opposing the Long Branch Medical Building project as currently proposed. These letters basically reflect all of the surrounding communities around that area.

Alan Bowser stated that the Silver Spring Citizens Advisory Board does not have to support every item that comes its way. I don't think that this Board should support something in the face of great community opposition for a particular project. It is likely this project is going to go forward regardless of what we do and regardless of what they want sadly but I hope not for the neighborhoods purposes. We need to really decide what we want to support or not. I was strongly opposed to this letter this evening because the misrepresentation that the Developers made to Sligo Branview, to our Committee and to the Board.

Debbie Spielberg stated that she appreciated Alan Bowser comments but due to the late hour we don't have time to discuss this issue further. I would like to thank the members of the community and everyone involved for coming this evening.

Bylaws Discussion - Continued

Korey Hartwich stated that there was one remaining amendment to the package of revisions to discuss. In the old version of the SSCAB Bylaws Appendix 1 was a Budget and Fiscal Policy Committee which is not included in the February 2006 bylaw revision and Alan Bowser is proposing an amendment that language be a part of our continuing bylaws. Are there any questions of clarification about Alan Bowser's amendment?

Motion: (Bowser, Woodard) add Budget and Fiscal Policy Committee to the revised Bylaws

Discussion

Alan Bowser stated that Budget and Fiscal Policy is an important function for the Board to have. I think we have been dealing with Budget and Fiscal Policy on an Ad-hoc basis and usually get proposal at the eleventh hours and I think if we had a full time committee to monitor these issues

and to discuss them we will be a much stronger Board and be able to develop some in-house expertise so we won't have to rely on County Staff. I think we rely too much on County staff for interpretations of County Policy.

Phil Olivetti stated that he does not necessarily disagree with any thing Alan Bowser has said but tonight created a new Secretary position, we have a strong debate about whether we get enough board members and quiet frankly if you look at the number of Board members that attend our current committee meetings. I mean last month I was the only Board member that attended the CED Committee and I expect Muriel Bowser can probably talk about some times when we have not had a lot of Board members at the Transportation/Pedestrian Safety Committee. We have been four people down and we can say that is an aberration but it is not an aberration if you look at the last three years we are usually down two or three people that puts us at like fifteen members and people do not have an infinite amount of time to spend on every thing and we are cut short and we can go ahead approve things put them in the bylaws. The fact of the matter is just putting them in the bylaws unless every one on the Board decides they will double there amount of time that they put into the Board these positions are just a waste of time putting the language in the bylaws because it won't get done.

Loyce Grigsby stated that these committees do have a purpose and she agreed with Alan Bowser but wanted to know if they could be done as ad-hoc committees as needed. They don't have to be standing committees and if we get the energy and the people wanting to participate I would think that is the time you might want to look at them as ad-hoc committees and it does not have to be in the bylaws.

Eric Hensal stated he is in favor of Alan Bowser motion. I think we have run in to this again and again ties all the various concerns together are budget issues. This is not a committee that has to meet every single month because there is a certain rhyme to the budget cycle. But to walk away from it and not have any language in the bylaws is sort of evident of a lack of understanding of the process and it is clear we live and die by the budget and all the nice thing we want to do, building we want built and police officers on the street all comes down to the budget and it is a tool we need and should have.

Kathy Stevens stated she was a little conflicted about this because I do find in a lot of our discussions that I wish I had an overall view of the money situation. What I am struggling with is how a committee of three or four people meeting every month how there is enough there with all the other things that we could be doing. I listened to the discussion on the Long Branch Medical Building but I am conflicted because I do feel if I had some more budget information would help but I would rather spend more time listening and being involved in the community as opposed to being in a small committee. So I am wondering if we need a committee or one or two people to get in touch with the budgeting process in a more detailed way.

Korey Hartwich stated that he was in opposition and the reason Budget and Fiscal Policy was removed from the bylaws was frankly we don't have a committee and I will not argue about the merits of it we can discuss that as part of Debbie Spielberg committee review procedure but we do not have a committee and have not had one for the three years I've been a board member so I was trying to clean up the bylaws. If after removing the language we have the discussion about

what committees should have on the Board and we decide that there are enough of us that want to do it than let's create it as an ad-hoc or actual thing but let me promise you sticking new things into the bylaws that every one agrees on will not be nearly as painful as this entire process has been I certainly hope.

Mark Woodard stated he wanted to speak in favor of the motion. It seems to me that there are two points of opposition that I can recall. One is we don't have enough people to do it and second it has not been done so far. Neither of these two points goes to the issue of whether it is important to do and I have not heard anyone say this is not important to do. In fact everyone that has spoken has said it is important. So I suggest strongly that we keep this committee in the list of standing committees and we have four new people coming on the Board. It is incumbent upon us if we believe that it is important to have such a committee to find someone to chair and join as members to work on it. I therefore support keeping the Budget and Fiscal Policy Committee in the bylaws and finding a way to be more effective on our work by having such a committee.

Alan Bowser reiterated that he thought it was important and I think keeping them in the bylaws now so Debbie Spielberg can have her review and make a presentation at the annual meeting and we can revisit the issue when the new people come on.

Mitch Warren stated he just worried about the Board stretching themselves to thin. I think clearly we have made some mistakes by not following the budget process as closely as we should and I think we need to do something whether it is Alan's committee or what Debbie Spielberg said we need to figure that out. But if we start adding a Public Safety Committee and a Budget Committee we are spreading our resources to thin and we can barely get through a meeting now with having three committees and if we have two more committees and more correspondence going out I think we need to prioritize what we are doing now and I think the budget issues are important we need to do a better job of following them. I don't know that we need two new committees and we should stick with what we have now and have a fresh discussion at our retreat.

Korey Hartwich moved to call to questions and Debbie Spielberg second. All those in favor of amending the package of amendments to include the Budget and Fiscal Policy language that was in the previous bylaws please raise your hand and say I.

Motion to amend the package fails.

Korey Hartwich asked if there were any further motions to amend the package of bylaws

Alan Bowser stated that he believed that Public Safety is an important part of our mandate. Most of the other Montgomery County Boards have Public Safety Committees I think that it is important for our reputation the same reason I think the Budget and Fiscal Policy needs to have a group to monitor those issues. I think that we need a Public Safety Committee. The Neighborhoods Committee has taken on Public Safety issues but it has directed us away from some of the other issues we would like to do. I propose that if we get up to speed on Public Safety that they meet jointly as well. The motion is not that Neighborhoods and Public Safety

meet jointly right now my motion is that we keep the existing bylaw language about Public Safety Committee in the new revised bylaws.

Korey Hartwich stated we just had a vote about the Budget and Fiscal Policy Committee and now Alan Bowser has made a motion that the Appendix #5 Public Safety Committee language continued in the future bylaws.

Phil Olivetti stated recognize we have created a new Secretary position we will also because of the new regulations on committees most likely have to appoint a member of this committee to be on the Urban District Advisory Committee so we will basically lose another Board member for that so think about it.

Korey Hartwich stated the argument is stretch thin. All those in favor of keeping Alan Bowser motion to keep the Public Safety Committee language in the future bylaws.

Motion: The Silver Spring Citizens Advisory voted and the motion to keep the Public Safety language in the future bylaws failed.

Korey Hartwich we are now considering the package of amendments presented in your packet with exception to the two changes that we voted on today which is the elimination of the Executive Vice Chair language and that language moved into a new Article 3, Section 8 which is a Board Secretary position.

Motion: (Hartwich, Olivetti) the Silver Spring Citizens Advisory Board agreed to adopt the February 2006 as amended (See informational materials for final bylaws).

Phil Olivetti asked when the newly created Secretary position needed to be filled.

Korey Hartwich stated that it is not outlined in the bylaws but any time there is a vacancy we have an election at the next meeting.

Debbie Spielberg stated she wanted to make a motion that the Executive Committee talk about the newly created Secretary position at there next meeting.

Korey Hartwich stated that the key is if we are going to do this at the next meeting the Board should be prepared and thinking about.

Debbie Spielberg stated that due to the time if there are no action items involved on the committees she would asked that committee chairs move quickly

CED

Phil Olivetti reported that:

- The CED Committee had no action items at there last meeting and the next meeting is onWednesday, February 15 at 7:30 p.m. at the Silver Spring Regional Center, 8435 Georgia Avenue.

Summary notes from SSCAB CED Meeting – Wednesday, January 18, 2006

Present: Phil Olivetti, CED, Gary Stith, SSRC, ,Darian Unger, CED, David Auerbach, Resident Marc Elrich, Takoma Park City Council,Dale Tibbitts, Resident, Julie Cline, Centex City Homes Hans Riemer, Resident, Stuart Jones, Goodman Properties, Roylene Roberts, DHCA, Ulder J. Tillman, DHHS/PHS, Scott James M- NCPPC , Glenn Kreger M-NCPPC, Robert Kronenberg, M-NCPPC Carol Richardson, Sligo Branview Comm. Assoc.Melanie Isis, DHCA

4 parts: 1200 East West Highway

Adele Project (Thayer and Fenton)

Planning presentation (and Q&A) on impact of development on infrastructure

WAH project (Arliss and Flower)

Part 1: 1200 East West Highway

Stuart Jones provided an update on the Goodman Properties project at 1200 E/W Highway (corner of Blair). They last sought, and received, our endorsement last May. They since got approval.

They've refined the design of the 14 story bldg. 1st floor will have about 11000 sq. ft. of retail. Major refinement is that a former plan included a mixture of pre-cast base and stucco – now they've switched to masonry.

Another refinement is the public art, which will be a Ray King “Beacon” 30 ft sculpture of steel and glass. Refracts and reflects light. Renderings of it make it look like a tower.

Otherwise, the project presentation is pretty much the same as before.

A public hearing on the site plan is coming up next Thursday. They would like to start construction this fall and hope to finish in 2009.

Part 2: Update on Adele project in Fenton Village.

This project on corner of Thayer and Fenton (across from the Safeway, next to the Thai Market) was presented to us last year. This time, attorney Tom Brown was representing developer and was accompanied by the same architect (Marius) and several others.

This project had it's hearing last June and filed site application – hopefully for next month.

This project goes up to 90 feet, but recessed a bit from Fenton. It has ground floor retail, 2nd floor office space, and condominiums.

Parking:

The developers would like the parking entrance at the back of the building, which means through the public alley off of Fenton. This would avoid the need to have an entrance directly off of Thayer, which would also require building-front to be a garage entrance.

DPWT is currently opposed to this plan, most likely because DPWT wants to preserve the alley for use for Parking Lot #3, which uses the same alley (as well as others). There's currently a request for proposal (RFP) for Lot 3....the plan is to have both housing and at least 200 more spaces than what exists now with the surface lot, so DPWT is likely to want flexibility with the alley. The members of the committee informally seemed to believe that it would be better for the Adele project to use the alley (perhaps

DPWT's concerns can be allayed? Perhaps revamping the alley (i.e. adding 6 more feet for dedicated public access...in the form of a public easement) and making the entrance look more like a pedestrian walkway might help? Perhaps this could be considered part of the Lot 3 redevelopment?)

Ground plan:

Another planner (Trina) reported on the new ground plan around the building. She reported that:

- Parks and Planning wanted access from alley
- The walkway around the building would include an intricate paving pattern with six different colors of pavers (trying for a "carpet" appearance).
- The plan includes a large streetscape with benches
- There will be a plaza area on corner – maybe for outdoor/movable seating
- Thayer graded, so they would flatten the corner and then the Thayer walkway would have stairs along the building and a conventional sloped sidewalk closer to the road itself
- The public art will be in the form of specialized glass panels along the stair-walkway banisters. The panels include reliefs with hands shaping sign language letters of the alphabet. (What will be spelled remains unknown, but perhaps "Adele.")

Questions and answers:

Would there still graded sidewalk on Thayer?

Yes

How does this building keep the character of Silver Spring and meet Fenton Village plan?

Retail on 1st floor

Mixed use – housing, office, retail – not 9 to 5.

Will the stairs and grade be designed to discourage skateboarders?

They will try.

Will there be any non-standard paving material in public right of way?

No.

Can the colors of the streetscape be adjusted?

Possibly.

Is the patio public access?

No.

What about Fenton Village? This big project is not what was originally viewed as Fenton Village...what does this project do for the village? Will tall buildings spread down the whole block?

Wider area for pedestrians

Not likely to replicate all the way down Fenton

What size will the units be?

Mostly one- and two-bedroom condos. Some 3-bedroom condos. Top floor likely to have larger units

Any significant change from before?

No

What do they want from the CED committee

A letter for site plan. Planning Board staff is including reports on citizen outreach, and they would like this outreach effort to be noted.

Part 3: County planning and cumulative impact on infrastructure

What is the impact of the cumulative Silver Spring development on sewers, roads, traffic, schools, emergency response, etc.?

Planning Board staff attended, gave a brief synopsis of development review process, and answered questions.

Highlights from planners' presentation and Q&A;

- There is an adequate public facilities test.
- They rely on Montgomery County Public Schools (MCPS) for schools test – nobody there from MCPS
 - School clusters are fluid, overcrowding may not be what it appears.
 - People generation rate: High-rises generate fewer kids (students)
- There is a traffic test
- There is a prescribed methodology
- They look at 110% of capacity

Q: Faith in county planning is broken. How can you say that nothing is above capacity on one hand and that we're over capacity on something else? How is AGP calculated?

Depends on how you look at it.

Q: What is the Acceptable CLV on Colesville?

1800 Higher CLV in downtown SS. – Trying to discourage driving by allowing greater traffic.

Q: What about using a percentage of the optional method funds to enhance the VanGo operations thus mitigating trips?

Local Area Transportation Review

Policy sets threshold, until then, you can add traffic without triggering mitigation.

Mitigation can include signal construction, lanes, drop lanes, bus stops

Results may depend on how much buffer is included in analysis

Not all mitigations are feasible.

Q: Never saw evidence of complying with agreement. What are evaluations like?

There is a comprehensive method of analysis

Don't have manpower to comprehensively review a region independent of a development and compare on a neutral, state-of-the-roads basis.

Traffic is up – but is still tolerable and within the limits set by existing policy.

People declare intersections are saturated, but we can change the way roads are shared...it may only be saturated in one direction.

If wanted to encourage transit, we could have an agreement, i.e. developer encourages tenants though info, incentive program to use transit, carpools, bike lockers, showers.

It might be useful to request that traffic engineers perform real-time evaluations rather than just capacity planning analyses. A real-time evaluation may show problems (of the sort that many are concerned about) that capacity planning analyses ignore. But planners have not been asked to perform these evaluations.

Q: What's definition of nearby development?

About ½ mile

Q: Doesn't that limited zone of influence defy common sense?

Policy decides what is tolerable.

Q: Developers get penalties, what about taxpayers who have to pay for road improvements?

Q: What about others? Water, Sewer, Fire?

Q: So everything is OK?

Based on policy, yes.

Q: Problem with lack of personnel for enforcement.

Part 4: Sligo/Branview view on the WAH Arliss and Flower development

Carol Richardson represented the Sligo Branview Community Association, and reported community concern about the project. She presented a letter coinciding with her remarks, which included:

- That the association is not against medical building, but would like the project to be done responsibly and with consideration for residents.
- Traffic concerns
- A lack of favor for the architecture....would have preferred town house development...more transition to community.
- The desire for more consideration

Gary Stith noted that the developer is redesigning following their association's meeting with the developer, and that the project is still fluid.

There being no further business the committee meeting was adjourned.

Neighborhoods

Alan Bowser reported that

- The Neighborhoods Committee had no action items at its last meeting. but he would call the Chairs attention to the CED Committee letter on page 46. I thought it was our agreement at the last meeting that CED language was going to be taken out of that letter.
- Debbie Spielberg stated she did not know and that the letter was already sent but point duly made.

Neighborhood Committee Meeting Summary, January 23, 2006

Attending: Anita Morrison, Alan Bowser, Marc Elrich, Loyce Grigsby, Martha Waddy, Charlotte Coffield, Wayne Goldstein, Caren Madsen, Eric Hensal, Darian Unger, Marcie Stickle, and Mel Tull.

Affordable Housing Wayne Goldstein, representing Montgomery Civic Federation had invited Takoma Park City Councilman, and candidate for Montgomery County Council, Marc Elrich to talk about affordable housing. Councilman Elrich began by noting that 80% of the residents of his ward are tenants, and poor enough to qualify as "block grant eligible". He spoke of how that concentration of low-income housing was accomplished with three decades of *rent control*. He took pride in the City's housing *code enforcement* program, relating that the City took over code enforcement from the County, and observing that median rents in the city were \$300-\$400 less per month than rents in the county when the City recently invited the County to take over code enforcement. The City requires inspection of 'every unit, every year'. The City rent control program intends to "protect the units, not the tenants", keeping rents low even when a tenant moves out, so the gap between actual and market rents continues to expand. He explained that landlord protests are handled with 'hardship petitions', 'capital improvement petitions', and 'prospective capital improvement petitions' that accommodate the need to maintain and sell buildings but prevent gentrification.

City Councilmember Erlich then spoke about the 'tenant's right of first refusal'. The City hires tenant organizers to help tenants make use of this provision, describing \$80,000 condominium

apartments in Takoma Park. Noting that the problem is that 8000 rental dwelling units in the county have filed to convert to condominium ownership, and stating that rents went up 9.9% at the Blair apartment complex in downtown Silver Spring, and more than 20% somewhere else in Silver Spring, he concluded that only non-profit developers with public financing support can make a solution work. He described a problem, that tenants have to pay late fees when leases call for rent to be paid on the first of the month and the lease or public law allows a 'late payment period' until the 10th with a 'late-payment' fee after that, because some tenants do not budget ahead for the rent and must wait until the first paycheck of the month, which sometimes does not arrive until after the 'late-payment' period ends on the 10th of the month.

Mr. Elrich spoke on the advantages of 'land trusts', which he said are a way to hold land and prevent development except for low-cost apartments or single family houses. The mechanism would be for the government or a selected non-profit organization to buy properties with government funds and hold onto the land ownership while selling off the dwelling units already on the property or built as new development. He suggests that funds would be available by (1.) closing a LLC property transfer tax loophole, or (2.) issuing bonds through the Housing Opportunities Commission.

City Councilmember Elrich also lamented that 'no cause eviction' is allowed in the county, presumed non-retaliatory, while the City of Takoma Park requires landlords to renew leases for one year if notice is not given 60 days in advance. He concluded with comments on the need for a prohibition or moratorium on condominium conversions. He said Takoma Park has asked the General Assembly for a local law to require tenant approval for condo conversion; and that the county has asked for protection for elderly and disabled tenants.

Workforce Housing Wayne Goldstein distributed a statement and spoke on behalf of the Montgomery County Civic federation regarding the need for workforce housing. He gave a brief review of the history of control periods for Moderately Priced Dwelling Units (MPDUs), and the income levels for Section 8 (0-30% median income), MPDU (30%-50% median), productivity housing (unknown), and workforce housing (proposed 80%-120% median, i.e. \$70,000-\$107,000 family of 4). He expressed concern that any zoning incentives for the development of workforce housing would conflict with the carefully thought out and finely crafted visions of height and density adopted in Master Plans. He said the possible monthly rental rates for workforce housing was not known and he did not know what it should be. He suggested that County land should be donated to developers as the incentive for workforce housing.

Mr Goldstein spoke about Community Development Corporations, saying he had read about two successful CDCs in Main and Newark that created jobs, did job training, and ran charter schools. He said the good ones leverage CBDG funds and develop funding sources.

Regarding MPDUs he suggested that high monthly condo fees should not be a barrier to buyers qualified to purchase an MPDU, because their monthly condo fees could be divided and shared among the other, full price, condo purchasers. He thought the county should use MPDU funds to purchase single family detached houses in a variety of low-price neighborhoods and re-sell them as MPDUs, recouping the cost through a retained share of appreciation as successive owners bought and sold during the control period. He mentioned lack of enforcement of MPDU law in Clarksburg, Germantown, and Leisure World; and called for incentives other than density and

height. He would like to see an MPDU requirement added to condominium conversion requirements. He called for an affordable housing impact tax for new development of projects smaller than 20 dwelling units that escape the MPDU requirements, even projects of just one house. The suggested tax would be ¼ % -2 ½% more on the transfer tax, but directed to DHCA's Housing Initiative Fund.

Future Issues The next meeting will be devoted to more information about affordable and workforce housing. Eric suggested that electrical infrastructure should be a topic, to learn why maintenance has been reduced to a level that the lights are always going out.

Meeting Dates The February meeting on the third Monday of the month would fall on a holiday when County offices are closed. The committee agreed by consensus to move the meeting to the following Monday, February 27.

Next meeting: February 27, 2006.

Transportation/Pedestrian Safety

- No Action Items. The next meeting Wednesday, February 22 at 7:30 p.m. at the Silver Spring Regional Center, 8435 Georgia Avenue

**Silver Spring Citizens Advisory Board
Transportation and Pedestrian Safety Committee
Meeting Summary – January 25, 2006**

Attendees (Jose Vazquez, Darian Unger, Bob Colvin, Tom Autrey (M-NCPPC), Sgt Harmon (MCP), Wayne Phyllaier, Dale Tibbitts, Rod Brown (DPWT), Scott Hassell, and Muriel Bowser (SSRSC)).

(Handouts available upon request)

Announcements

Jose Vazquez will be leaving Citizens Advisory Committee. Staff will discuss appointment of new Chairman with CAB Chair.

Muriel Bowser was hired as Assistant Director of the Silver Spring Regional Services Center replacing retired Rusty Wallace in November. Ms. Bowser will serve as staff liaison to the Transportation and Pedestrian Safety Advisory Committee.

Forest Glen Pedestrian Bridge Update

Contact: Rod Brown– DPWT

Mr. Brown briefly updated the Committee on the history of the project. He explained that work on the project is 73% complete at this time. The project had been 4 months ahead of schedule, but is currently "on schedule." Engineering complications, unanticipated time with ironwork, and change in contractor's contract management recently affected project schedule. The project is scheduled to open in August 2006.

There are two lighting sources, including small baluster lighting along the path and State Highway lighting under the beltway. This bridge will be maintained by DPWT-Highway services division.

There is Public Art involved in the Project. Sculptures to be included are in production now. The artists will have a show on the public art involved in the project on February 3 at Montgomery College. Mr. Brown will forward detailed information about this showing.

Discussion Highlights: Sgt. Harmon expressed concerns about the plan to install a pedestrian crosswalk toward the middle of the bridge. He is concerned that this will encourage pedestrians to continue to use the East Side of Georgia Avenue to cross ramps to the beltway, instead of crossing to the West side at a point south of pedestrian bridge where they can take advantage of the bridge over the ramps. He suggested that the new light should be installed south of the pedestrian bridge. Mr. Vazquez asked if DPWT could consider adding security phones since they are not part of the current design. It was also asked if this bridge would accommodate any beltway widening. Mr. Brown indicated that this design has already accommodated the recent widening of the beltway bridge; he did not think it would accommodate any additional significant widening of the beltway.

Committee Action

No Actions taken. Follow-up items: 1) Location of Pedestrian Crossing, 2) Security Phones, and 3) Potential Beltway Bridge Widening on Pedestrian Bridge

Metropolitan Branch Trail Update

Contact: Uzair Asadullah, DPWT

(Handouts) Mr. Asadullah explained that DPWT presented five options to the public in an October public meeting. The project runs between the Silver Spring Transit Center and Montgomery College. The options vary between Georgia Avenue and Montgomery College. (DPWT Comparison of options attached).

DPWT is devising its recommendation among Division Chiefs. He expects that a recommendation will be delivered to the DPWT Director in 6-8 weeks. A Park and Planning briefing would then be scheduled, and then all options would be presented to the Council's Transportation and Environment Committee. He estimated that this process could take between three and five months, depending on the length of review at these various stages. There will be opportunities for additional public input at the Planning Board and Council.

Discussion Highlights: Bob Colvin, East Silver Spring Civic Association, advised that his association supports Option 1. He noted that it is the most direct option; it tunnels under Burlington saving a channelized right turn from Fenton Street. When asked about maintenance and monitoring of Option 1's tunnel, Mr. Asadullah indicated that no one has offered to maintain this passage. Ms. Bowser indicated the Regional Center's concern over the appropriate maintenance of the tunnel. The Regional Center cannot take on maintenance responsibility. Wayne Phyllaier noted that options 2, 3, and 5 would not provide a quality off-road trail and would not likely be used by bicyclists. Mr. Phyllaier also expressed concern over the estimates being used for the options. He is concerned that the estimates are overly conservative. He noted similar projects and those of lesser scope that cost much less than what DPWT estimates indicate for the possible options. Mr. Asadullah indicated that he is very comfortable with DPWT's estimates and thinks they are on target. Concerns were expressed over the project schedule and if the consideration of this number of options is delaying the project.

Committee Action

None.

Takoma Langley Transit Center & Related Design Improvements

Contact: Jose Vazquez (Maryland Transit Administration)

Mr. Vazquez advised that MTA is proceeding with this project. The property is currently being appraised. The project will be located at the corner of New Hampshire Avenue and University Blvd. A Taco Bell is currently on the site. The total cost of the project is \$12.6 million dollars, it will consolidate approx. 8-10 bus stops in the immediate area facilitating efficient boarding, transferring and improving pedestrian access to bus facilities. The Center will serve Metro, Ride On, The Bus, and the University of Maryland Shuttle. The project is funded by the State, Montgomery and Prince George's Counties. Both counties have included their \$2.5 million contribution in their FY07 CIP recommendations. Major pending issues include maintenance of the Center. The State has not developed a maintenance agreement between the parties. There is also some community concern that public restrooms be included in the project. This project will be accompanied by road and intersection improvements around the center.

Committee Action

None.

County Executive Recommended Capital Improvements Program

Contact: Muriel Bowser

(Handouts) Ms. Bowser, Committee Staff, briefly discussed Silver Spring area projects included in the Executive's recommendation with an emphasis on Transportation projects. These projects include Pedestrian linkages projects in South Silver Spring, Fenton Street, Long Branch, and Montgomery Hills. Traffic Improvement on Dale Drive and Oakview Drive are included. The addition of sidewalks on US 29 in Four Corners was highlighted. The Silver Spring Green Trail is included, but delayed three years due to fiscal concerns. Committee members thought that the delay was due to decision on the Bi-County Transitway and were concerned that budget documents indicate fiscal concerns.

Committee Action

None

Next Meeting: February 22, 7:30 p.m. at the Regional Services Center

Speaker: Emil Wolanin, DPWT (On Street Parking Pilot Study, Wayne Avenue Traffic Operations, and Countdown Signals).

New Business

Debbie Spielberg stated that she has been appropriate by folks working on the Old Blair Auditorium and they are looking for a letter of support to the Congressional Delegation for Federal funding and we have gone on record as supporting funding for Old Blair but I do not have a draft letter for the Board to review but I would like to get a sense if the Board is comfortable with and I will try and move forward whatever way is appropriate.

Motion: (Woodard, Grigsby) the Silver Spring Citizens Advisory Board agreed that a letter be written in support of funding for Old Blair.

Debbie Spielberg stated that there is a budget forum that PRESCO is trying to put together and I circulate this via e-mail they are looking for a point person on it and it has been postponed until September.

Director Report

Gary Stith reported that:

- The Silver Spring Fire Station got its Use and Occupancy Permit and the Urban District is moving into the third floor on February 21, the Police are moving into the new substation on second floor on March 2 and the fire station will be moving in late in March into April. It will take them a little longer because of alarm systems and things they need to transfer over. There will be some type of event around this new building probably in April.
- New members have been sent over to County Council and there are four new members and two are here tonight Darian Unger and Victor Weissberg have been nominated by the County Executive. The new members will be confirmed on February 21 so they will be here at the March meeting.
- President Day our office will be closed.
- The first Long Branch Advisory Committee meeting will be held on February 21 at 7:30 p.m. at the Long Branch Community Center. The meeting is opened to the public and there are fifteen members that have been confirmed by County Council.
- CASA is open a new Community Center in Long Branch just off Piney Branch they got funding through Community Legacy Program from the State it is one of the apartment building there and they have converted it into a Community Center that they will operate and they are having an event on February 22 at 11:00 a.m. if you are interested in attending let us know and I will get you the details.

Debbie Spielberg stated that she had been asked to include in the minute for official record information from the folks developing the Washington Adventist Hospital about community contacts given that there was a statement made tonight about misrepresentations and they did not have an opportunity to discuss it. They would just like include in the minutes there information about there contacts with the community.

Eric Hensal thanks Korey Hartwich for all the bylaw work he has done.

Debbie Spielberg stated that this was Jon Lourie last Board meeting he has served on the Board for two full terms and we would like to thank you by presenting you with a certificate from the County Executive and a gift of appreciation. We also look forward to your continued involvement in the community.

Jon Lourie thanked everyone and stated that he especially appreciated the Board new activist approach. I did find it very frustrating from the standpoint that we are not elected, we have no budget to control and basically serve on an advisory role and I would like to say that you can accomplish quiet bit in an advisory role but you really have to build consensus among your fellow board members as well as community. I am particularly proud that we where able to get the Civic Building Steering Committee established which through my own frustration of not

having self government in Silver Spring but to allow full participation in the community with the County's various agencies in helping give form to the Civic Building in terms of its content and I am also very proud of the fact that we where able to have a design building competition as frustrated as I was from the standpoint of downtown Silver Spring and the lack of community input in its ongoing development I am very happy as a community we where able to help bring forward what I hope will be a superb building for downtown.

Meeting adjourned - 9:30 p.m.

Commercial and Economic Development, (CED) Committee

The Neighborhood Committee

Alan Bowser reported that:

Transportation/Pedestrian Safety Committee